



Dkt. 75990-B/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul Simmons et al.  
Serial No.: 10/813,747  
Filed : March 29, 2004  
For : MESENCHYMAL PRECURSOR CELL

1185 Avenue of the Americas  
New York, New York 10036

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

REVOCATION OF POWER OF  
ATTORNEY AND APPOINTMENT OF NEW ATTORNEYS

In accordance with 37 C.F.R. §3.73(b), Angioblast Systems, Incorporated ("Angioblast"), 279 East 44<sup>th</sup> Street, New York, NY 10017, is the assignee of the right and interest to the above-identified application by virtue of an assignment from Medvet Sciences Pty Ltd, a copy of which is attached hereto as Exhibit A and was submitted to the United States Patent and Trademark Office for recording. The attached assignment was recorded at Reel No. 017679, Frame No. 0427 on March 13, 2006.

Angioblast hereby revokes all powers of attorney previously granted and appoints the following attorneys: John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Philips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); and Gary J. Gershik (Reg. No. 39,992) and each of them, all c/o Cooper and Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 (Tel. (212) 278-0400), its attorneys, each with full power of substitution and

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revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Please address all communications and direct all telephone calls regarding this application to:

JOHN P. WHITE  
COOPER & DUNHAM LLP (Customer No. 23432)  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036  
TEL. (212) 278-0421

I certify that I am authorized to sign this Revocation of Power of Attorney and Appointment of New Attorneys on behalf of Angioblast Systems, Incorporated.

Angioblast Systems, Incorporated

By:  Date: 8/12/07  
Name: Michael Schuster  
Title: Corporate Secretary

## **EXHIBIT A**

FORM PTO-1595 (Substitute)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

(Rev. 8-98)

## PATENTS ONLY

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Medvet Sciences PTY LTD  
38 Payneham Road, Stepney,  
South Australia, 5069 Australia

## 2. Name and address of receiving party(ies):

Name: ANGIOBLAST SYSTEMS, INCORPORATED

Internal Address: \_\_\_\_\_

Street Address: 279 East 44<sup>th</sup> Street

City/State/Zip: New York, NY 10017

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 3. Nature of Conveyance:



Assignment



Merger



Security Assignment



Change of Name



Other \_\_\_\_\_

Execution Date(s): October 4, 2004

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is (are): \_\_\_\_\_

## A. Patent Application No.(s)

10/813,747 filed March 29, 2004;  
11/169,875 filed June 29, 2005;  
and 11/178,920 filed July 11, 2005.

## B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White

Internal Address: \_\_\_\_\_

Street Address: Cooper &amp; Dunham LLP

1185 Avenue of the Americas

City/State/Zip: New York, New York 10036

6. Total number of applications and patents involved: 3

7. Total fee (37 CFR §3.41): ..... \$ 120.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

## DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John P. White

Name of Person Signing

Reg. No. 28,678

Signature

March 9, 2006

Date

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Assignment Recordation Services  
Commissioner of Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

Total Number of pages including cover sheet, attachments and document: 25

John P. White  
Reg. No. 28,678

Date

3/9/06

# **Intellectual Property Assignment Deed**

**Medvet Sciences Pty Ltd**  
**ABN 15 008 089 745**

**and**

**Angioblast Systems, Incorporated**

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**Schedule 2**

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# Intellectual Property Assignment Deed

Date *7<sup>th</sup> October* 2004

## Parties

1. Medvet Sciences Pty Ltd ABN 15 008 089 746 of 38 Payneham Road, Stepney, South Australia, 5069 Australia (Medvet)
2. Angloblast Systems, Incorporated of 279 East, 44<sup>th</sup> Street, New York, NY 10017 United States of America (Angloblast)

## Background

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**Operative Provisions**

**1. Definitions and interpretation**



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**Intellectual Property Rights** means all present and future intellectual and industrial property rights conferred by statute, at common law or in equity and wherever existing, including:

- (d) patents, designs, copyright, rights in circuit layouts, plant breeder's rights, trade marks, know how, brand names, domain names, inventions, product names, trade secrets and any other rights subsisting in the results of intellectual effort any field, whether or not registered or capable of registration;
- (e) any application or right to apply for registration of any of those rights;
- (f) any registration of any of those rights or any registration of any application referred to in paragraph (b); and
- (g) all renewals and extensions of these rights;

**Patent Family 1** means all rights and interests in and to issued patents and pending patent applications in any country, including all substitutions, continuations, continuations-in-part, divisional, supplementary protection certificates, renewals, all letters patent granted thereon, and all reissues, re-examinations, extensions, confirmations, revalidations, registrations and patents of addition thereof that result either directly or indirectly from the following patent applications which are sought and obtained:

- (a) 'Mesenchymal Precursor Cell PCT/AU00/00822;
- (b) 'Mesenchymal Precursor Cell Australian Patent Application No. 56636/00;
- (c) 'Mesenchymal Precursor Cell' U.S. Patent Application No. 10/030411;
- (d) Continuation-In-Part U.S. Patent Application No. 10/813,747;
- (e) 'Perivascular Mesenchymal Precursor Cells' PCT/AU2004/00416; and

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- (f) **U.S. Continuation-in-Part application related to USSN10/030411 titled 'Mesenchymal Precursor Cell and use thereof in the repair of bone defects and fractures in mammals';**

**Patent Family 2 means 'Perivascular Mesenchymal Precursor Cell Induced Blood Vessel Formation' PCT/AU2004/00417 patent and all rights and interests in and to issued patents and pending patent applications in any country, including all substitutions, continuations, continuations-in-part, divisional, supplementary protection certificates, renewals, all letters patent granted thereon, and all releases, re-examinations, extensions, confirmations, revalidations, registrations and patents of addition resulting either directly or indirectly from this patent;**

**Technology means:**

- (i) **Patent Family 1;**  
(j) **Patent Family 2;**

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P.B. RICE & Co.

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Medvet hereby assigns to Angloblast absolutely and beneficially, such assignment to be effective from the date of execution of this Deed, the whole of its rights, title and interest, whether presently existing or which arises at a date after the date of this Deed in and to any Intellectual Property Rights subsisting in the Technology including:

- (i) the right to apply for and register in any country worldwide such Intellectual Property Rights; and
- (ii) the right to claim (and retain) any damages and other remedies (including but not limited to an account of profits) for past infringement of and wrongful interference of such Intellectual Property Rights by third parties (whether or not they arose prior to the date this Deed came into effect).

(Assigned Technology).

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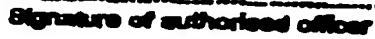
Executed as a deed.

Executed by Medvet Sciences Pty Ltd ABN  
15 008 849 746 in accordance with section  
127(1) of the Corporations Act 2001 (Cth):

  
Signature of director

James Williams  
Name (please print)

Executed by Anglobank Systems,  
Incorporated in accordance with its  
Constitution by its duly authorised officers

  
Signature of authorised officer

James Williams  
Name (please print)

Dr James Spill  
Signature of director or company secretary  
"delete whichever does not apply"

Dr Frances Luyett  
Name (please print)

  
Signature of authorised officer

Silvia Itasca  
Name (please print)

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ASSIGNMENT BY

---

Medvet Sciences Pty Ltd.

TO

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Angioblast Systems, Incorporated

MESENCHYMAL PRECURSOR CELL

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Attorney ~~for~~

John P. White, Esq.  
Cooper & Dunham  
1185 Avenue of the Americas

New York, N.Y. 10036

212-278-0000

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